

FISCAL NOTE

SB 524 - HB 565

March 2, 2007

SUMMARY OF BILL: Requires the State Board of Education to promulgate rules and regulations governing the transportation of children to and from extracurricular activities. Fifteen passenger vans or vans with a greater occupancy level may be used if operated by a school employee and the student's parent has provided a signed permission slip to the student's school.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures – Not Significant

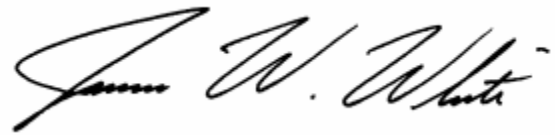
Assumptions:

- Present law requires the State Board of Education to promulgate rules governing school transportation, including extracurricular activities in motor vehicles maintained by an LEA. SBE Rule 0520-1-5-.02 requires all school buses purchased by a county, local school system, or private contractor to meet the Tennessee Minimum School Bus Standards approved by the State Board and all applicable federal motor vehicle safety standards.
- T.C.A. 49-6-2115 requires compliance with federal minimum school bus and vehicle standards.
- Public Law 109-59 (Safe, Accountable, Flexible Efficient Transportation Equity Act signed August 10, 2005, led to the revision of the National Highway Safety Administration (NHTSA) regulations and Title 49 United States Code Section 30112(a) now prohibits a school from the purchase or lease of a new 15-passenger van if it is to be used primarily to transport students to or from school or an event related to school, unless such van complies with the motor vehicle standards prescribed for school buses and multifunction school activity buses under this title.
- This law only applies to schools or school systems that ordered, purchased or leased a new 15-passenger van on or after August 10, 2005.
- The new federal law imposes civil penalties for violations. A single violation carries a civil penalty of up to \$10,000, and a civil penalty for a series of related violations is up to \$15,000,000.
- On January 1, 2006, the Department of Education notified the Tennessee Directors of Schools informing them that the new federal law supersedes existing state law which allowed LEAs to transport students

to and from interscholastic athletic or school sponsored activities in a motor vehicle designed for 7 to 16 passengers. LEAs are required to conform to the provisions of the federal law.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director